



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

Agency: Department of Agriculture

☐ Permanent Rule  
☒ Emergency Rule

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.  
☐ Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- ☒ Immediately upon filing.  
☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose:** This emergency rule filing amends WAC 16-54-030 (Health certificate). This filing is necessary to help prevent the spread of Vesicular Stomatitis (VS) to Washington state livestock from the affected areas in Wyoming. This emergency rule filing replaces the emergency rule that the department filed with the Office of the Code Reviser on September 2, 2005 (WSR# 05-18-046). The department's Animal Services division is currently developing permanent rule amendments to chapter 16-54 WAC. A CR-101 was filed with the Office of the Code Reviser on May 15, 2006 (WSR# 06-11-071).

**Citation of existing rules affected by this order:**

Repealed:  
Amended: WAC 16-54-030(4)  
Suspended:

**Statutory authority for adoption:** RCW 16.36.040

**Other authority :** RCW 34.05.350

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).  
Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☒ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: On August 17, 2006, a case of Vesicular Stomatitis was confirmed in a horse in Wyoming; additional suspect cases are being examined. Vesicular Stomatitis is a serious viral disease of livestock that can also be transmitted to humans. The last outbreak of Vesicular Stomatitis in the U.S. involved nine western states and was formally declared over on April 11, 2006. The disease caused serious animal health and financial problems in Washington in 1983/1984 prior to its elimination from the state.

**Date adopted:** September 5, 2006

**NAME (TYPE OR PRINT)**

Robert W. Gore

**SIGNATURE**

*Robert W. Gore*

**TITLE**

Deputy Director

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

SEP 5 2006

314

TIME

WSR

06-18-089

AM

PM

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

|   |     |          |         |          |          |          |
|---|-----|----------|---------|----------|----------|----------|
| <b>Federal statute:</b>                 | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| <b>Federal rules or standards:</b>      | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| <b>Recently enacted state statutes:</b> | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |

**The number of sections adopted at the request of a nongovernmental entity:**

|  |     |          |         |          |          |          |
|--|-----|----------|---------|----------|----------|----------|
|  | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
|--|-----|----------|---------|----------|----------|----------|

**The number of sections adopted in the agency's own initiative:**

|  |     |          |         |          |          |          |
|--|-----|----------|---------|----------|----------|----------|
|  | New | <u>0</u> | Amended | <u>1</u> | Repealed | <u>0</u> |
|--|-----|----------|---------|----------|----------|----------|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|  |     |          |         |          |          |          |
|--|-----|----------|---------|----------|----------|----------|
|  | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
|--|-----|----------|---------|----------|----------|----------|

**The number of sections adopted using:**

|                                       |     |          |         |          |          |          |
|---------------------------------------|-----|----------|---------|----------|----------|----------|
| <b>Negotiated rule making:</b>        | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| <b>Pilot rule making:</b>             | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| <b>Other alternative rule making:</b> | New | <u>0</u> | Amended | <u>1</u> | Repealed | <u>0</u> |

AMENDATORY SECTION (Amending WSR 99-09-023, filed 4/15/99, effective 5/16/99)

**WAC 16-54-030 Health certificate.** (1) All animals entering Washington shall be accompanied by an official health certificate except:

(a) Dogs and cats originating in Washington and visiting Canada for thirty days or less.

(b) Dogs, cats and ferrets that are family pets traveling by private automobile with their owners who possess a current rabies certificate for the animals. This exemption does not apply to dogs, cats or ferrets imported for sale or puppies, kittens, or kits too young to vaccinate.

(c) Horses traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any required testing.

(d) Llamas and alpacas traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian.

(e) Sheep traveling into Washington with their Oregon or Idaho owners in personal vehicles for round-trip visits of not more than ninety-six hours duration. This exemption does not apply during emergency disease conditions declared by the state veterinarian or extend to any animals entering for breeding purposes.

(f) Those classes of animals specifically exempted in laws or regulations of this state.

(2) Official health certificate shall contain the following information:

(a) Date of inspection. All health certificates void after thirty days, except breeding cattle forty-five days from date of issue. The director may give special exemption for show animals.

(b) Names and addresses of the consignor and consignee.

(c) Certification that the animals are apparently free from evidence of infectious and communicable disease.

(d) Test or vaccination status when required.

(e) Description of each animal to include species, breed, age, sex, tag or tattoo and for cattle, only an official ear tag will be accepted or if registered, the registry name, number and tattoo for individual identification except one brand or other owner identified animals, all of the same description, for which tests are not required.

(f) Certification of disinfection of cars and trucks when required.

(g) An owner/agent statement which says "the animals in this shipment are those certified to and listed on this certificate" and is signed and dated by the owner, agent, or veterinarian.

(3) All health certificates shall be reviewed by the livestock sanitary official of the state of origin and a copy shall be forwarded immediately to the department of agriculture, Olympia, Washington.

(4)(a) No livestock (equine, bovine, porcine, caprine, or ovine) may enter Washington if, within the last thirty days, vesicular stomatitis has been diagnosed within ten miles of any premises where the livestock have been located.

(b) Livestock entering Washington from a state where vesicular stomatitis has been diagnosed within the last thirty days must be accompanied by:

(i) A valid import number issued by the department's animal services division; and

(ii) An official certificate of veterinary inspection issued within twenty-four hours of movement that contains:

(A) The temperature reading of the livestock; and

(B) The following statement written by the accredited veterinarian who completes the certificate:

"All animals identified on this certificate have been examined and found to be free from vesicular stomatitis. During the past thirty days, these animals have not been exposed to vesicular stomatitis or located within ten miles of an area where vesicular stomatitis has been diagnosed."

(c) Livestock with elevated body temperatures that are from a state where vesicular stomatitis has been diagnosed within the last thirty days may only enter Washington with written permission of the state veterinarian.